

BURLINGTON CITY COUNCIL REGULAR SESSION MARCH 19, 2014

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, March 19, 2014. Mayor Gene L. Merry called the meeting to order.

ROLL CALL: ☒ Mayor Gene L. Merry

Council Members present:

☒ William C. Scott (President of Council)

☒ Jane M. Griffith

☒ Lewis Lenard

☒ R. Standley Luke (Stan)

☒ Forrest T. Rhodes

☒ Jerilyn Curtiss

Superintendents Present: ☒ Kevin Boyce (Parks) ☒ Alan Schneider (Electric)

☒ Doug Jones (Chief of Police)

☒ Doug Mast (Street)

☒ Danny Hawkins (Water/Wastewater)

Also Present: ☒ Regina Kewley (City Clerk)

☒ Jimmy Hugunin (Zoning & Grants Clerk)

☒ Thomas F. Robrahn (City Attorney)

☒ Susan Stroh (Administrative Assistant)

☐ Dennis Roth (City Attorney)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Jay Hale

AGENDA: Council Member Scott, "I move to approve the agenda as amended." Council Member Luke, "I second the motion." Motion unanimously carried.

MINUTES: March 5, 2014: Council Member Luke, "I move to accept the Draft Minutes of Council's regular session of March 5, 2014 as presented." Council Member Curtiss, "Second." Motion unanimously carried.

PUBLIC COMMENT: None

ELECTRIC DEPARTMENT: Distribution Updates

General: Electric personnel are doing normal daily duties. They set some power poles and straightened others. A couple of underground services have pulled away from the meter cans on the houses due to the ground settling were repaired.

AMI: Superintendent Schneider reported personnel went back and leveled and tilled an area where they did some digging before winter hit and had given it time to settle.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Power Plant personnel have been performing normal duties and doing required reports.

Power Plant Maintenance: Superintendent Schneider reported personnel did some maintenance to cooling fans that cool the radiators of the generators; and did some maintenance on some oil circulation pumps.

WATER DEPARTMENT: Update

Water Leaks: Superintendent Hawkins reported personnel have been doing normal duties and reports. They have been trying to get caught up on some little things and fixing some smaller leaks. They did installs of water meters, including one on a two inch valve out by Chrisman's west of town that got hit in an automobile accident.

Waterline Replacement Project: Superintendent Hawkins said they are going to resume work on the Waterline Replacement Project on Monday. They will start on Yuba Street to finish up those services. He said, "We did get all our permits for replacing waterlines approved by the State, and are waiting for the paperwork to come back. We've got over 7,000 feet of waterline to install from Niagara to Hudson and St. Lawrence Street – over 17 blocks. We won't have to worry about obtaining more permitting until probably 2016 or 2017. We got the permitting far enough in advance that I have ordered piping and materials, which is a big order and will probably be presented at the next council meeting. We are getting the boring and preparing to do the install on that as well."

Automated Meter Infrastructure: Superintendent Hawkins told Council, "The AMI project has come to a halt with the installs for now. We have Wes Payne and six others will be flying here from Pennsylvania the first week of April and will work with us on the AMI Project."

WATER/WASTEWATER DEPARTMENT: Water Plant Update

General: Superintendent Hawkins reported, "The Water Plant has been running pretty good. We are still working with a new coagulant. What we've seen of the product results has been extremely beneficial to the City of Burlington. This coagulant is very cost efficient and it has enabled us to cut back on or quit using several other chemicals. We will test the coagulant for a couple weeks to be sure it is performing correctly."

East/Gray Water Tower Repair update: Parts to repair the East Water Tower arrived. We are working on disinfection. James Brookshire (Cunningham Sandblasting & Painting, Inc.) plan to come to Burlington tomorrow. If everything goes well, it is possible our tower will be repaired and in use by the end of next week.

PUBLIC COMMENTS: Sidewalk Repairs after waterline repairs or replacement

Mayor Merry asked Jay Hale if he had any comments. He didn't. However, Council Member Griffith asked Superintendent Hawkins, "Where you told us the sidewalk has been broken from the repairs down south where pipes have gone through sidewalk, will that be fixed?" He explained, "That's one of the things we are doing. Any place where we've had water leaks or waterline repairs, we know we have to go back and repair those. Anything we've destroyed in the process of making repairs or waterline replacement, we tried to budget money for those repairs; and we will put them back better than they were when we did the repairs. We try our best to bore under sidewalks and streets as much as possible so we don't disturb."

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STREET DEPARTMENT: Update

Alleys: Superintendent Mast reported, “The last couple of weeks we worked on several alleys, put in a culvert for Mediacom, patched potholes, started working on the drainage project at the shop, and worked on equipment.”

Dump Truck/Bed/Plow: Invitations to Bid were sent out for the dump truck with bed and plow. The bid opening will be April 8 at 10 a.m., and will have plenty of time to review them before Council on April 16.

General: It has been normal business at the Street Department.

Street Sweeper-Not working: The street sweeper worked well for one day, broke down, and while they were doing routine maintenance, several problems were found. The elevator that carries materials up into the hopper had numerous issues and will need replaced at a cost of about \$5,000 worth of parts.

POLICE DEPARTMENT: Update

Municipal Court: Chief Jones reported the docket was full for Municipal Court last week, so it lasted two-and a half hours and didn’t get out until 7:30 p.m.

General: It was normal calls for the Police Department. They worked some nuisance properties; and also did escort of the basketball teams heading to Sub-state and State.

Fair Board: Chief Jones said he talked to Mary Lou Ponder, Coffey County Fair Board, and the Fair Parade will be the same as it has been for the last couple of years. *[Start on Neosho by the Museum, cross Highway 75 and continue east to 3rd Street; then go south to the Fairgrounds.]*

Nuisance Properties: Chief Jones said the Police Department has some nuisance properties. They are encouraging people to take advantage of the City’s free pickup of brush and trash; and if they don’t, the Police Department comes down a little harder on them to get the nuisances abated. Mayor Merry inquired about demolition of structures. Chief Jones said he is working with one family in particular.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, including cleaning public restrooms and buildings

Dog Leash Signs: Parks personnel installed new signs at the City’s parks, with the exception of Drake Park, to remind people that leash laws are strictly enforced. Hopefully, the signs will resolve the problem Chief Jones was having with dogs running loose at the walking trail.

Industrial Park #3 – trees: Superintendent Boyce reported, “In Industrial Park #3 there were some trees in the hayfield we lease out. We removed a large dead Mulberry tree and a couple of smaller trees. Also, along 75 Highway several Cedar trees were growing, so we transplanted some of the smaller ones along the chainlink fence. We are working on getting two complete rows through there, although we are only required to have one for the screening.”

Sidewalk repairs: Parks personnel have been backfilling around areas of sidewalk repairs done last fall.

Flower Pots/Victorian Light Poles: Superintendent Boyce reported brackets to hold hanging flower pots have been installed on the center Victorian light poles in the 300 and 400 blocks of Neosho Street.

Training: Parks personnel attended the KMU safety training class last week. Superintendent Boyce attended a playground safety training class in Kansas City last week, the 12th through the 14th.

Kelley Park Stadium Structure – Paint: Superintendent Boyce reported, “I have been working with a local contractor and some out-of-town contractors to get a price on painting the structure iron in the Stadium in Kelley Park. A lot of the white iron underneath is showing rust, so I am trying to dress it up.”

Sidewalk Connecting Oak Park and the Pool: Superintendent Boyce reported he has been working with Tom Hugunin, Burlington Construction, on the sidewalk connecting Oak Park to the swimming pool at Katy Park. They stopped where the bridge needs to be put in. He stated, “Tom said he could probably build a concrete bridge across Rock Creek, so that is what we are looking at doing now.”

PARKS DEPARTMENT: Oak Park Walking Trail – Fitness Equipment

Superintendent Boyce referred to information on fitness equipment to be purchased and installed along the Oak Park Walking Trail. Quotes were:

Fry Park & Playground Equipment	\$10,249.00		
GameTime	7,493.07	Amerigroup Grant to COF	\$11,393.00
Burlington Construction	8,789.28	City Share	\$15,138.35
Total	\$26,531.35		\$26,531.35

Note: The walking trail will consist of three fitness stations and concrete base.

Two of the fitness stations from Fry Park Equipment are ADA certified.

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City Clerk Kewley stated, “Gene (Mayor Merry) approached me back in January when he was contacted by Mr. Patton from COF who said they had applied for a grant from Amerigroup and that they were offering to generously donate the grant proceeds to the City of Burlington to be used to put some handicap-accessible fitness equipment in our parks. Kevin and I had been talking previously about putting in some kind of outdoor workout station along the Walking Trail.”

City Clerk Kewley continued, “We brainstormed about participating with the COF grant money from Amerigroup to buy two ADA certified fitness stations, which is \$11,393.00, and have some left to pay for part of the concrete. We would put in \$15,138.35 for another exercise station and concrete; so we would be matching more than half the cost. We did go out for and got quotes; and I put packets on both sides of the Council table for you to look at. I will answer any questions, but we want to get approval so we can get the equipment ordered and get it installed. We want to get authorization tonight so we can move forward.”

Council Member Griffith asked, “What are we going to put under the equipment? At the schools, we’ve tried all kinds of things to keep under the equipment.” City Clerk Kewley, “These need to have concrete pads.” Superintendent Boyce explained that because these are not playground equipment they do not need to have safety surfacing under them. Council Member Scott commented that this equipment is used on a lot of the trails. City Clerk Kewley pointed out that Burlington Construction will pour the three concrete pads for three fitness stations. Superintendent Boyce informed the Council that after the end of the year, you will need to have safety surfacing for any new equipment going in, but anything before that is grandfathered okay with concrete. City Clerk Kewley stated, “Eventually, we would like to add more pieces.”

Mayor Merry commented, “This has been stretching out quite a while. First it was supposed to go in over by the swimming pool, but the City doesn’t own that, it is owned by the USD #244 School District. So when I got with Chris, I suggested we try to find something else. Kevin picked out a site (Oak Park), and Chris is feverishly trying to get the check to come through. They’re being patient trying to work this out. It takes a while to get the bids. I think it’s going to be a good deal; and it’s a lot better than what they were looking at to begin with because it was just going to be playground equipment and now it’s going to be handicap accessible fitness equipment.” City Clerk Kewley mentioned that it is right down from where COF clients live. Superintendent Boyce added, “I’m going to hard-surface that parking lot so it will be even more accessible for the handicapped.

Council Member Curtiss stated, “I move to authorize Oak Park improvements, including the purchase of fitness equipment from Fry Park & Playground Equipment and from GameTime, and installation of concrete by Burlington Construction, Inc.; at a cost not to exceed \$26,531.35.” Council Member Griffith, “Second.” Mayor Merry called for discussion; and hearing none, called for a vote. Motion unanimously carried.

PARKS DEPARTMENT: Construct a Bridge to Connect Oak Park to the Swimming Pool at Katy Park

Superintendent Boyce stated, “Tom Hugunin (Burlington Construction) gave me a quote to build a concrete bridge. I did check with one of the playground companies while I was looking for the fitness equipment; and they also do bridges for walking trails and such. A manufactured iron bridge was way outside of the range of numbers I gave them – it was not even close to the quote for this concrete bridge. Tom’s quote is \$17,896. On top of that, I’ll have to put a hand railing on it. Basically, all Tom will be doing is the concrete work. Tom’s quote is for a concrete bridge at the walking trail, 8 foot wide with four support walls on the bottom side of it which will be placed in the creek bottom.” Mayor Merry asked about crossing the bridge with the mowers. Superintendent Boyce said, “If it’s wet, we can cross there with the mowers without any problem.” (continued)

Council Member Curtiss, “I move to authorize hiring Burlington Construction to construct a concrete bridge over Rock Creek to connect Oak Park to Katy Park Swimming Pool at a cost not to exceed \$18,000.” Council Member Scott, “Second.” Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2014-05	\$ 313,944.11
b.	Payroll Ordinance	2014-06	\$ 71,062.40
	TOTAL		\$385,006.51

CLAIMS 2014-05: Council Member Luke, “I move City of Burlington pay Claims Ordinance 2014-05 in the amount of \$313,944.11 for payment of city bills.” Council Member Lenard, “Second.” Mayor Merry called for discussion. City Clerk Kewley explained, “A couple of the bigger items were: Kansas Power Pool for \$233,269.09; and Nelson Quarries for road rock in the amount of \$15,791.83.” Hearing no further discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Claims Ordinance 2014-05 unanimously approved.

PAYROLL 2014-06: Council Member Scott stated, “I move City of Burlington pay Payroll Ordinance 2014-06 in the amount of \$71,062.40.” Council Member Lenard, “Second.” Hearing no discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. Motion unanimously carried. Mayor Merry declared Payroll Ordinance 2014-06 unanimously approved.

PLANNING & ZONING: Update

City Hall’s New Computers: Zoning Clerk Hugunin reported the new computers for City Hall have been ordered and will hopefully be delivered by the estimated date of March 28th.

General: Zoning Clerk Hugunin has been updating the permit logs, the web page and Facebook. He set up the Water Department’s new laptop. A new printer had to be ordered because the Dell printer is not compatible.

[4] CONTINUATION: March 19, 2014 Burlington City Council Meeting

Tree Board: A meeting of the Burlington Tree Board will be at Kelley Hall on March 26th at noon.

PLANNING & ZONING: Corporate Boundary Update by Resolution 2014-02

Zoning Clerk Hugunin explained that whenever an Ordinance is adopted to annex property to the city, the State requires a resolution with certification be adopted after the end of the year in which that property is annexed. After adoption, the resolution does not need to be published, but it does need to be recorded at the County Register of Deeds office, after which a copy is sent to the State and the original is placed in our Ordinance binder. Resolution 2014-02 includes the Payne property that was annexed in the northwest part of the City by Ordinance 820.

Council Member Scott stated, “I move to approve Resolution 2014-02, Refining Corporate Boundaries of the City of Burlington.” Council Member Lenard, “Second.” Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried; and Mayor Merry declared Resolution 2014-02 adopted.

PERMITS: Zoning permits issued by Zoning Clerk Hugunin:

2014-005 Daniel Hess, 1139 12th Road, for a swimming pool and fence

LEGAL DEPARTMENT: Update

General: City Attorney Robrahn commented that Chief Jones gave good coverage of the Municipal Court in his update.

RWD #2 Contract revision: Attorney Robrahn said he visited with Dennis Roth shortly after the last meeting of Council and he is very close to having something for the contract. Attorney Robrahn said, “It’s totally in the other attorney’s ballpark.” Superintendent Hawkins talked some about water rights. Mayor Merry said, “I’d be comfortable with all of them now that they are pretty well uniform.” Superintendent Hawkins, “Everything I’ve seen so far. My main focus with them was that the contract is across the board with who owns which meters. It makes it easier across the board.”

CITY CLERK’S OFFICE: Update

General: City Clerk Kewley reported City Hall Staff have been busy preparing utility bills, handling calls and inquiries, handling work orders, preparing meeting minutes, reports, vouchers for paying bills, and payroll.

TrustPoint Insurance: City Clerk Kewley reported, “On Monday, March 24th, I have an appointment with Angela from TrustPoint. She will be presenting our new policy for the year; so we will be going over numbers. I will bring our policy to Council on the 2nd of April.”

Water Quality Report/Consumer Confidence Report: The WQR/CCR will be inserted into envelopes with utility bills to be mailed to all our water customers.

KMU Training: City Clerk Kewley attended the KMU Management training on March 12.

Employee Evaluations: City Clerk Kewley completed employee evaluations.

Walking Trail: Superintendent Boyce and City Clerk Kewley worked together on plans for the Oak Park Walking Trail for the Amerigroup Grant to COF.

Electric Rate Study: City Clerk Kewley worked with Superintendent Schneider on gathering information for the Electric Rate Study to pass on to Allgeier Martin & Associates.

CITY CLERK’S OFFICE: Executive Session – Non-elected Personnel

Council Member Lenard stated, “I make a motion to enter a fifteen-minute Executive Session for Personnel Evaluations with elected officials, City Attorney Robrahn and Personnel Officer Kewley present.” Council Member Luke, Second.” Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried. Council entered Executive Session at 6:30 p.m. and exited at 6:45 p.m.

Council Member Luke stated, “I make a motion that the personnel evaluations and pay increases be approved as presented. Council Member Scott, “Second.” Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried.

FUTURE AGENDA ITEMS: Mayor’s Annual Appointments

Mayor Merry mentioned it is close to appointment time and said, “I think we will leave the appointments as they are, other than the adjustment of Municipal Court Clerk from Carol Mast to Kerri West. *(The Mayor’s Annual Appointments are done the first meeting in May.)*

GENERAL City Debt – How to fund projects
City Code Re-codification
Service/Allied Waste Agreement Renewal
Mayor’s Volunteer Program

GAAP – Infrastructure Capitalization
Actuaries – GASB-45
Electric Rate Study

ELECTRIC DEPARTMENT: GIS system
Emissions Standards Compliance/EPA

Automatic Meter Infrastructure for Electric & Water (AMI)

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[5] CONTINUATION: March 19, 2014 Burlington City Council Meeting

PARKS DEPARTMENT: Fair Board’s new Building		Kelley Park Rock Restroom – Refurbish update
Hazard Tree Removal		City Dam West Wall Project (sidewalk/steps, etc.)
Spring Carnival & Demolition Derby-April (Fair Board)		Bridge construction for Walking Trail project
Scout Jamboree in September 2014		Oak Park Fitness Equipment Project
UHCA Event in Kelley Park - October 2014 (Jim Ochs)		Connecting Parks with Sidewalks
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LEGAL DEPARTMENT: RWD #2 Contract (New)		
PLANNING AND ZONING Quarterly Construction Valuation Report		Work w/Chief on Nuisance Structure regulations
Comprehensive Development Plan – Update		Zoning Inquiries
Industrial Park Lots		City Hall Computer & Server Upgrade
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POLICE DEPARTMENT Nuisance Updates		Personnel – Training Updates
SADD Mock Disaster in April 2014		New PD Building- Update
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STREET DEPARTMENT: 2013 Asphalt Project		Sidewalk for Mike Abendroth (2 blocks)
Sidewalk Replacement Repairs on City Rights-of-Way		Pavement Management System/Asset Management System
Street Department Storm Sewer Project & Rebuild of S. 10 th St.		Rebuild/Repair Kennedy Street and 14 th Street
Heather Street – Concrete Panels		Dump Truck with bed and plow
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WATER & WASTEWATER DEPARTMENT: Sewer Improvement Project--Lift Station Replacements		
Neosho Riverbank Stabilization	Southwest Sewer Project	Water Pressure Study
Water Plant Improvements--Efficiency	Waterline Replacement Project	Water Tower Repair (East) SCADA System
10 th & Housatonic Water Improvements-	John Redmond Reservoir – Dredging	

Mayor Merry declared the meeting adjourned.

Approved by the Governing Body and signed by Regina R. Kewley, City Clerk